



Frederick County Sustainability Commission

Meeting Minutes for

12/20/17



FCSC Attendees: Tom Anderson, Tim Jones, Jennifer Bird, Elizabeth Peterson, John Ferri, Ron Kaltenbaugh, Kathy Kinsey, Joe Richardson, Kevin Sellner, Jane Dennison, Jerry Donald (County Council Liaison)

OSER: Shannon Moore, Kim Campbell, Basit Bangash, Lisa Orr

Public: Samantha Hogan, Mike Wilkens (Acting Director: Dept. of Development Review), Mike Paone (Planner), Steve Horn (Director: Planning and Permitting Div.), Rich Maranto, Denis Superczynski, Dana French, Colin Johnson.

I. Welcome and Introductions

- a. The Chair (Ron Kaltenbaugh) opened the meeting and welcomed all FCSC members and guests.
- b. Sustainability awards close on December 31.
- c. Hood College will have a Green Neighbor Festival. The Facebook Page is live under Hood Coastal Center for Watershed Studies.
- d. Green Drinks, evening gathering, starts on January 17, at McClintock Distillery or Serendipity.

II. Vice Chair items

- a. Approval of November Meeting Minutes. Tom made a motion to accept the minutes. John seconded the motion. One abstention.

III. STAR Communities (Mike Paone)

- a. The STAR Communities effort involves all divisions within the County.
- b. The Planning Department has used the Crosswalk to identify objectives for each goal and it is broken down by measurables.
- c. The County is looking to see where we are strong and where we need additional information. The County has begun filling in the STAR application with the information readily at hand.
 - i. There are approximately 400 items to be included in the application and the process is time intensive.
 - ii. Planning is developing a template and needs FCSC assistance with that effort.

- iii. Would like a game plan for meeting with county agencies and developing a template for each meeting by the January FCSC meeting. Would like to come out of the January meeting with a timetable for meeting with agencies.
 - iv. Planning would like the involvement of FCSC members in their areas of expertise.
- d. Nonprofit involvement will be important due to the services they provide to the County.
- e. The STAR certification effort will help the County identify gaps, set goals, and learn from other jurisdictions on how to achieve goals.
- f. There is a 750 maximum point system. The scores are tied to different levels of certification.
- g. Role of FCSC
 - i. Planning staffer will keep FCSC updated on process.
 - ii. FCSC can assist with the development of templates for meetings with county agencies and outside stakeholders.
 - iii. FCSC representatives will participate in meetings and coordinate input.
 - iv. FCSC can review information as its collected and review the application.
 - v. FCSC can facilitate sessions with interested outside stakeholder groups to seek input on the certification process.

IV. Developer Rights and Responsibilities Agreements and Forest Resource Ordinance (Steve Horn and Mike Wilkens)

DRRAs

- a. Board of County Commissioners enacted legislation in 2007 to allow DRRAs. Intent to provide some certainty in the zoning process.
- b. The purpose is to manage growth to allow for adequate infrastructure to serve that growth.
 - i. However, growth has continued historically even with overcrowded schools.
 - ii. These agreements have not been shown to benefit the County.
- c. These agreements are now in place for 20-25 years; however, the County is required by the State to re-evaluate the County plan every 10 years.
- d. Frederick County is one of the few jurisdictions still allowing these agreements.
- e. The County Executive has introduced a bill to manage DRRAs in the future.
 - i. Public Hearing scheduled for 7:00 pm, January 9.
 - ii. Council will then consider, discuss and decide whether to adopt the bill.

- iii. The bill calls for DRRAs to be limited to residential development of 1500 dwelling units or more.
- iv. County would obtain a benefit above and beyond what can be obtained through zoning process.
- v. DRRAs would be limited to 5 years.
- vi. The bill would set reasonable parameters for DRRAs.
- vii. FCSC members are encouraged to attend and support the bill.

Forest Resource Ordinance

- a. Amendment proposed by County Executive.
- b. The State Forest Conservation Act was adopted in 1992. This Act required each County to develop its own Forest Conservation Ordinance.
- c. Currently, under the breakeven point, there is a certain amount of forest that can be cleared without mitigation.
 - i. Example: On a property with 100 acres of forest, a developer may be able to clear 60 acres and put an easement on 40 acres.
- d. In 2007, the County adopted an amendment providing for 1:1 acreage replacement. This law was revoked in 2011.
 - i. Within this timeframe, the County actually increased forest cover by 10 acres.
 - ii. Every other year, the County has lost forest cover. Roughly 94 acres of County forest is cleared each year.
- e. The proposed Forest Resource Ordinance will once again require 1:1 replacement. A universal 20% afforestation requirement is included. Forest bank credits will be at a 2.5:1 ratio. Certain credits (like planting of street trees) will be reduced.
- f. The Code lists priority areas for providing forest mitigation.
 - i. Options include other land owned by the developer and forest mitigation banks.
- g. This ordinance may force developers to plan more carefully around forest resources.
- h. There is a 2-3 year inspection period to ensure 75% survivability.
- i. The County has a list of required over story and understory species.
- j. The bill has been introduced and is on the County Council schedule for January 9 and 10. There is also an alternative bill that was introduced.
- k. Forestry Board has reviewed the County Executive's proposed ordinance and is in support of the bill.
- l. FCSC Discussion

- i. FCSC discussed supporting the County Executive's proposed ordinance. Members will review both bills. Members may attend the public hearing to show support as individuals.
- ii. FCSC will discuss drafting a letter of support during the January meeting. Tom Anderson will draft a letter for FCSC review.

V. OSER Updates

- a. OSER is developing a letter of interest for a grant for stormwater retrofit projects.
- b. Completing annual report for storm system permitting.
- c. Basit's last day is January 19. He has accepted a position with Greenworks Lending.
- d. OSER has been meeting with County Executive's office regarding the comprehensive energy plan update.

VIII. Commission Members Items of Interest

Ron: Attended an Atlantic Magazine meeting regarding EVs. Attendees included GM, DOT DC, academics, nonprofits. GM plans to get to zero emissions, crashes. Moving towards autonomous vehicles. EV tax credit survived current tax plan.

Kevin: Spoke on mitigation and prevention of algal blooms at Baltimore conference. Invited to talk at EPA Region 3. Dredging proposed at Lake Linganore this summer. The dredging will release phosphorus, stimulating toxic algal growth. Consider writing a letter of support for Tim Goodfellow in regards to the Monocacy River Plan and his work in planning. Kevin offering a water quality training in regards to the Monocacy River this winter.

Jane: Traveling to Columbia to develop a plan for mercury storage.

Joe: Working with Urbana High School for compost pilot. Looking for volunteers to help kids sort compost.

Jennifer: Suggestions for nominations for the next Sustainability Awards.

IX. Public Comments

Rich Maranto: Green Drinks starting in January. To be announced soon.

Adjournment: Following a motion, which was seconded and unanimously approved, the meeting was adjourned at 5:15 pm.